



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,310	08/14/2000	Jay Paul Drummond	D-1077+18	9530

28995 7590 06/17/2003

RALPH E. JOCKE
231 SOUTH BROADWAY
MEDINA, OH 44256

EXAMINER

CHARLES, DEBRA F

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 06/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/639,310	DRUMMOND ET AL.	
	Examiner	Art Unit	
	Debra F. Charles	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Response to Amendment

1. Claims 8, 12, 20 and 24 have been amended.

Response to Arguments

2. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Jheeta, Patterson et al. and Martin, Jr. et al. are all ATM machines. Akiyama et al. disclose an IC card and an ATM machine. And Bertram et al. disclose a browser and URL manager for computers on networked systems. ATM systems are networked. This enables the ATM to verify the user against the database. Any computer system with a display feature such as those typical of ATMs are browser and internet capable if the browser software is installed in the computer network(see col. 3, lines 5-37).

3. In response to applicant's argument that Bertram et al. is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this

case, all the references except Bertram et al. deal with financial services functions. Browser technology is industry independent and thus, is useable for financial services functions.

The Attorney indicates Bertram et al. does not generate a web page responsive to a customer profile value, especially a customer profile value accessed from a data store. Bertram et al. indicates in col. 7, lines 20-40 that the content window may be varied by the user and other views may be chosen. Each item from a working list as shown in both Figs 4 and 5 has several attributes or parameters that define the item's appearance and behavior. And a user selection panel with an area for entering a label or title of the user's choice for a given working list item. In this invention, the user's browser can open with pre-established user selected preferences and these preferences were selected and stored in a data store.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,2,5, 8,9,10, 12,13, 20, 21, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jheeta (US 5619558 A) and Bertram et al. (US 6049812 A).

Re claims 1, 9, 13 and 21: Jheeta disclose a method of operating an automated transaction machine comprising:

- a) reading customer identification information with a reading device in operative connection with an automated transaction machine(Col. 2, Lines 20-50);
- b) accessing at least one customer profile value from at least one data store, responsive to the customer identification information(Col. 1, Lines 40-60, Col. 2, Lines 20-50);
- c) responsive to the at least one customer profile value(Col. 1, Lines 40-60, Col. 2, Lines 20-50, Col. 3, Lines 35-67).

Jheeta does not explicitly disclose(s) generating at least one web page and displaying the at least one web page at the machine through operation of a browser. However, in Abstract, Col. 4, Lines 30-67, Col. 7, Lines 1-25, Col. 8, Lines 1-12, Col. 9, Lines 1-30, Col. 12, Lines 55-63, Col. 13, 14 thereof, Bertram et al. disclose(s) an improved browser that creates web pages. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta by adopting the teachings of Bertram et al. to obtain the benefit of using web browsers on the ATM machine display.

Re claims 2 and 10: Jheeta disclose

- f) modifying the at least one customer profile value in the data store responsive to the input(Col. 1, Lines 40-60, Col. 2, Lines 20-50, Col. 3, Lines 35-67).

Re claim 5: Jheeta disclose wherein in step (a) the reading device includes a card reader device, and wherein the customer identification information is read from a card(Col. 2, Lines 20-50).

Re claims 8, 12, 20 and 24: Jheeta disclose computer readable media having computer readable instructions embodied thereon, the computer readable instructions operative to cause at least one computer to carry out the method steps recited in claims 1, 9, 13 and 21(Col. 1, Lines 40-60, Col. 2, Lines 1-60).

Re claim 22: Jheeta disclose further comprising prior to step (c):

- e) determining if the consumer is a customer associated with a financial institution, wherein if the consumer is determined not to be a customer of the financial institution, the targeted advertisement includes a promotion for the financial institution(Col. 1, Lines 5-40, Col. 3, Lines 38-50).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jheeta and Bertram et al. as applied to claim 2 above, and further in view of Akiyama et al. (US 5539825 A).

None of Jheeta and Bertram et al. explicitly disclose(s) wherein the data store includes a smart card. However, in Col. 1, Lines 10-25, Col. 6, Lines 8-25 hereof, Akiyama et al. disclose(s) an IC smart card. Thus, it would have been within the level of ordinary skill in

Art Unit: 3628

the art to modify the method of Jheeta and Bertram et al. by adopting the teachings of Akiyama et al. to obtain the benefit of using IC technology for customer ATM cards.

7. Claims 3, 6, 7, 11, 14, 15, 16, 17, 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jheeta and Bertram et al. as applied to claims 2, 10, 13 and 21 above, and further in view of Patterson et al. (US 5915246 A).

Re claim 3: None of Jheeta and Bertram et al. explicitly disclose(s) wherein the data store includes a remote database. However, in Col. 4, Lines 15-25 thereof, Patterson et al. disclose(s) a remote database on a host system. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta and Bertram et al. by adopting the teachings of Patterson et al. to obtain the benefit of using a remote database for customer profile data.

Re claims 6, 7 and 11: None of Jheeta and Bertram et al. explicitly disclose(s) wherein the customer profile value is representative of the preferred natural language of the customer, wherein the input is representative of a different value for the preferred natural language of the customer;

And wherein the customer profile value is representative of a fast cash amount, wherein the web page includes a selectable option which corresponds to having the automated transaction machine dispense an amount of cash that is equal to the fast cash amount, wherein step (f) includes modifying the fast cash amount;

And wherein the customer profile values include a last withdrawal amount representative of a previously withdrawn amount of cash, wherein one of the selectable options corresponds to a dispensing of an amount of cash equal to the last withdrawal amount, wherein step

(e) includes dispensing of a selected amount of cash with a cash dispenser device, and wherein step

(f) includes modifying the last withdrawal amount with a value that corresponds to the selected amount of cash.

However, in Cols. 1-4, esp. Col. 1, Lines 1-50 thereof, Patterson et al. disclose(s) customer profile value and customer type along with option selection. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta and Bertram et al. by adopting the teachings of Patterson et al. to obtain the benefit of presenting the customer with profile data reflecting customers' transaction input.

Re claims 14, 15 and 18: None of Jheeta and Bertram et al. explicitly disclose(s) wherein when the customer type corresponds to a servicer of automated transaction machines, including a plurality of selectable servicer options for servicing the automated transaction machine;

Art Unit: 3628

And wherein when the customer type corresponds to a consumer, including a plurality of selectable transaction options for performing transactions with the automated transaction machine;

And wherein when the customer type corresponds to a first type of customer, including a first option to perform a first transaction with the automated transaction machine, wherein when the customer type corresponds to a second type of customer, the web page does not include the first option.

However, in Abstract, Cols. 1 and 2 thereof, Patterson et al. disclose(s) option selection based on customer profile. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta and Bertram et al. by adopting the teachings of Patterson et al. to obtain the benefit of presenting the ATM user with relevant options to select and to indicate options for customers' selection based on the type of customer identified via the customer profile.

Re claims 17 and 23: None of Jheeta and Bertram et al. explicitly disclose(s) wherein the targeted advertisement includes at least one selectable option, wherein the method further comprises:

- (e) receiving an input from the consumer that corresponds to the selectable option;
- and
- (f) updating the customer profile responsive to the input.

However, in Cols. 1-4, esp. Col. 1, Lines 1-50 thereof, Patterson et al. disclose(s) option selection based on customer profile. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta by adopting the teachings of Patterson et al. to obtain the benefit of presenting the customer with profile data reflecting customers' transaction input.

Official notice is taken that it is old and well known in the computer art to get the advantage of providing customers with selectable options that automatically builds the customers' profile in order to present the customer with relevant selectable options upon subsequent ATM use. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include customer selectable options in which the actual selected option becomes a part of the customers' stored profile.

Re claim 16: None of Jheeta and Bertram et al. explicitly disclose(s) wherein the targeted advertisement includes at least one selectable option, wherein the method further comprises:

- (e) receiving an input from the consumer that corresponds to the selectable option;
- and
- (f) updating the customer profile responsive to the input.

Art Unit: 3628

However, in Cols. 1-4, esp. Col. 1, Lines 1-50 thereof, Patterson et al. disclose(s) option selection based on customer profile. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta by adopting the teachings of Patterson et al. to obtain the benefit of presenting the customer with profile data reflecting customers' transaction input.

Official notice is taken that it is old and well known in the computer art to get the advantage of providing customers with selectable options that automatically builds the customers' profile in order to present the customer with relevant selectable options upon subsequent ATM use. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include customer selectable options in which the actual selected option becomes a part of the customers' stored profile.

8. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jheeta, Bertram et al. and Patterson et al. as applied to claim 18 above, and further in view of Martin, Jr. et al. (US 630860 B1).

None of Jheeta, Bertram et al. and Patterson et al. explicitly disclose(s) wherein the first transaction corresponds to bill payment. However, in Fig. 3, item 304, Col. 5, Lines 35-67, Col. 6, Lines 20-32, Col. 10, Lines 55-67, Col. 11, Lines 1-20 thereof, Martin, Jr. et al. disclose(s) ATM transactions that permit bill payment. Thus, it would have been within the level of ordinary skill in the art to modify the method of Jheeta, Bertram et al. and Patterson et al. by adopting the teachings of Martin, Jr. et al. to obtain the benefit of using an ATM screen to select the bill payment.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Application/Control Number: 09/639,310
Art Unit: 3628

Page 8

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

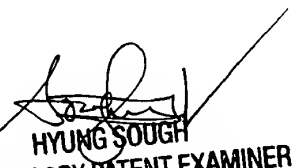
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (703) 308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Debra F. Charles
Examiner
Art Unit 3628

dfc
June 13, 2003


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600